

ORDINANCE NO. 2007-19

AN ORDINANCE OF THE CITY OF NEWPORT BEACH AMENDING TITLE 15 OF THE NEWPORT BEACH MUNICIPAL CODE TO ADOPT APPENDIX CHAPTER 1 OF THE 2007 CALIFORNIA BUILDING CODE DESIGNATED AS THE NEWPORT BEACH ADMINISTRATIVE CODE, THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE 2007 EDITION OF THE CALIFORNIA BUILDING CODE, THE 2007 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2007 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2007 EDITION OF THE CALIFORNIA PLUMBING CODE, TO AMEND THE EXCAVATION AND GRADING CODE, AND TO DELETE THE EARTH QUAKE HAZARD REDUCTION IN EXISTING BUILDINGS CHAPTER.

The City Council of the City of Newport Beach DOES ORDAIN as follows:

SECTION 1. Chapter 15.02 of the Newport Beach Municipal Code is amended to read:

Chapter 15.02

ADMINISTRATIVE CODE

Sections:

15.02.010	Adoption of the Administrative Code
15.02.020	Amendment to Section 101.1
15.02.030	Amendment to Section 101.2
15.02.040	Amendment to Section 101.4.5
15.02.050	Amendment to Section 102.6
15.02.060	Amendment to Section 105.2
15.02.070	Added Section 104.3.1.1
15.02.080	Amendment to Section 105.3.2
15.02.090	Amendment to Section 105.5
15.02.100	Amendment to Section 108.4
15.02.110	Added Section 109.3.9.1
15.02.120	Amendment to Section 112.1

15.02.010 Adoption of the Administrative Code.

The City Council adopts and incorporates by reference, as though set forth in full in this section Appendix Chapter 1 of the 2007 edition of the California Building Code as published by the International Code Council.

The various parts of this Appendix Chapter 1, including additions, amendments and deletions adopted in this section, shall constitute and be known as the Newport Beach Administrative Code. A copy of the 2007 California Building Code printed in code book form shall be kept on file in the office of the City Clerk.

15.02.020 Amendment to Section 101.1

Section 101.1 is amended to read as follows:

SECTION 101.1 Title. These regulations shall be known as the Administrative Code, hereinafter referred to as “this code.”

15.02.030 Amendment to Section 101.2

Section 101.2 is amended to read as follows:

SECTION 101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

15.02.040 Amendment to Section 101.4.5

Section 101.4.5 is amended to read as follows

SECTION 101.4.5 Property maintenance. The provisions of the Property Maintenance Code shall apply to existing residential structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

15.02.050 Amendment to Section 102.6

Section 102.6 is amended to read as follows:

SECTION 102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Property Maintenance Code, the California Mechanical Code or the California Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

15.02.060 Amendment to Section 105.2

Section 105.2 is amended to read as follows:

SECTION 105.2 Work exempt from a permit

BUILDING: 2. Masonry or concrete fences not over 3 feet (914.4 mm) in height above lowest adjacent grade, and all other fences not over 6 feet (1,828.8 mm) in height above lowest adjacent grade.

ELECTRICAL: The requirements and exemptions in Article 89 of the 2007 California Electrical Code shall also apply (89.101.3.3, 89.108.4.1).

15.02.070 Added Section 105.3.1.1

Section 105.3.1.1 is added as follows:

SECTION 105.3.1.1 Demolition permits. Prior to issuance of a demolition permit for complete demolition of a structure, the permittee shall certify that a City franchised solid waste enterprise shall be used for the handling, removal and disposal of all construction and demolition waste. A demolition permit deposit, set by Resolution of the City Council, shall be paid at the time of submitting the demolition permit application and the Demolition Contractor Certification and Deposit Form. Said deposit shall be returned to the permittee, minus administrative fees set by Resolution of the City Council, at the conclusion of the demolition project, upon the submittal of documentation that a franchised solid waste enterprise was used to handle, remove and dispose of all demolition wastes. The demolition permit deposit shall be forfeited in its entirety if a franchised solid waste enterprise is not used to handle, remove and dispose of all demolition wastes.

If the building official finds that the work described in an application for a demolition permit and the plans, specifications and other data filed therewith conform to the requirements of this Code and the technical codes and other pertinent laws and ordinances, and that the fees specified in Section 108 have been paid and that a franchised solid waste enterprise is being used, the building official shall issue a permit therefore to the applicant. Prior to any demolition activities authorized by the permit, the permittee shall notify the General Services Department no less than twenty-four hours or more than seventy-two hours in advance of its intent to commence

demolition and provide the name of the franchised solid waste enterprise that will conduct the demolition activities. Any hauling or disposal of demolition and construction wastes by other than the identified franchised solid waste enterprise shall subject the project to suspension of work as authorized in this code.

15.02.080 Amendment to Section 105.3.2

Section 105.3.2 is amended to read as follows:

SECTION 105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for a period not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

15.02.090 Amendment to Section 105.5

Section 105.5 is amended to read as follows:

SECTION 105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one extension of time, for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

15.02.100 Amendment to Section 108.4

Section 108.4 is amended as follows:

SECTION 108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee in addition to the required permit fees. The investigation fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The payment of such investigation fee shall not exempt an applicant from

compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law.

15.02.110 Added Section 109.3.9.1

Section 109.3.9.1 is added as follows:

SECTION 109.3.9.1 Approval of Special Inspector. The special inspector shall be a qualified person approved by the building official of the City of Newport Beach or his/her designated representative. The special inspector shall furnish continuous inspection on the construction and work requiring his/her employment as prescribed in the applicable code. The special inspector shall report to the building official in writing, noting all code violations and other information as required on forms, prescribed or approved by the City of Newport Beach.

Each person applying for listing/registration as a special inspector for the City of Newport Beach shall possess a valid certification from a certifying agency approved by the building official, as a special inspector for each classification for which they apply. The building official may administer testing procedures, which he/she may find appropriate.

Each person applying for registration, as a special inspector for the City of Newport Beach, shall pay a registration fee as set forth in the City Council Fee Resolution, payable with the application.

A registration card shall be issued to each such special inspector who qualifies. A renewal fee as set forth in the City Council Fee Resolution for each classification shall be charged on July 1 of each year thereafter at which time the special inspector may be subject to re-examination.

The building official may, in writing, suspend or revoke any special inspector's certificate of registration for due cause. This notice shall set forth the time and place evidence would be submitted to show cause why the certificates of registration should not be revoked. Failure to appear at such hearing by the special inspector may result in immediate revocation of said certificates. Special Inspector's qualification registrations are to be given only for the execution of work done under Section 108 of the Uniform Administrative Code in the City of Newport Beach or for work specifically authorized by the building official.

15.02.120 Amendment to Section 112.1

Section 112.1 is amended to read as follows:

SECTION 112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of the technical code, there shall be and is hereby created a board of appeals, consisting of seven (7) members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment, two (2) of whom shall be physically disabled, and who are not employees of the City of Newport Beach. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board of appeals shall be appointed by the City Council and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official and may recommend to the City Council such new legislation as is consistent therewith.

SECTION 2. Chapter 15.03 of the Newport Beach Municipal Code is amended by deleting the Uniform Housing Code and adopting the 2006 International Property Maintenance Code as amended:

Chapter 15.03

INTERNATIONAL PROPERTY MAINTENANCE CODE

Sections:

15.03.010	Adoption of the International Property Maintenance Code
15.03.020	Deletion of Chapter 1
15.03.030	Amendment to Section 101.2
15.03.040	Amendment to Section 102.3
15.03.050	Amendment to Section 303.2

15.03.010 Adoption of the 2006 International Property Maintenance Code.

The City Council adopts and incorporates by reference, as though set forth in full in this section, the 2006 International Property Maintenance Code, as published by the International Code Council.

The various parts of this Code, along with the amendments and deletions adopted in this section, shall constitute and be known as the Newport Beach Property Maintenance Code. A copy of the 2006 International Property Maintenance Code shall be kept on file in the office of the City Clerk.

15.03.020 Deletion of Chapter 1, except Sections 101 and 102

Chapter 1 of the Property Maintenance Code is deleted, except Sections 101 and 102 as amended in 15.03.030 and 15.03.040 as follows:

15.03.030 Amendment to Section 101.2

Section 101.2 is amended to read as follows:

SECTION 101.2 Scope. The provisions of this code shall apply to all existing residential structures and all existing premises, structures, equipment and facilities for light,

ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

15.03.040 Amendment to Section 102.3

Section 102.3 is amended to read as follows:

SECTION 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the applicable adopted codes. Nothing in this code shall be construed to cancel, modify or set aside any provisions of the Newport Beach Zoning Code.

15.03.050 Amendment to Section 303.2

Section 303.2 is amended to read as follows:

SECTION 303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 60 inches (1524 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing with a self-latching device placed no lower than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

SECTION 3. Chapter 15.04 of the Newport Beach Municipal Code Sections have been renumbered and reorganized in its entirety consistent with the newly adopted California Building Code to read as follows:

Chapter 15.04

BUILDING CODE

Sections:

15.04.010	Adoption of California Building Code.
15.04.020	Amendment to Section 202
15.04.030	Amendment to Section 403.1
15.04.040	Amendment to Section 701A.1
15.04.050	Deletion of Section 701A.2
15.04.060	Amendment to Section 701A.3.1
15.04.070	Addition of Section 701A.4
15.04.080	Amendment to Section 702A
15.04.090	Amendment to Section 704A.2.1
15.04.095	Amendment to Section 704A.2.2
15.04.100	Amendment to Section 704A.2.3
15.04.110	Amendment to Section 704A.3.1
15.04.120	Amendment to Section 704A.3.2.1
15.04.130	Addition of Section 704.3.3
15.04.140	Amendment to Section 704A.4.1.1
15.04.145	Amendment to Section 704A.4.2.2
15.04.150	Amendment to Section 704A.5.1
15.04.160	Addition of Section 704A.5.2
15.04.170	Addition of Section 704A.6
15.04.180	Addition of Section 704A.7
15.04.190	Amendment to Section 903.2
15.04.200	Deletion and Replacement of Section 903.2.1
15.04.210	Deletion and Replacement of Section 903.2.2
15.04.220	Amendment to Section 903.2.3
15.04.230	Amendment to Section 903.2.6
15.04.240	Amendment to Section 903.2.7
15.04.250	Deletion of Section 903.2.8
15.04.260	Amendment to Section 903.2.9
15.04.270	Amendment to Section 903.2.10.3
15.04.280	Amendment to Section 905.1
15.04.290	Amendment to Table 1505.1
15.04.300	Amendment to Section 1505.1.1

15.04.310	Amendment to Section 1505.1.3
15.04.320	Amendment to Section 1613.6.1(4)
15.04.330	Addition of Section 1613.7
15.04.340	Addition of Section 1614
15.04.350	Deletion of Section 1704.1(3)
15.04.360	Amendment to Section 1704.4(1)
15.04.370	Amendment to Section 1709.1
15.04.380	Amendment to Section 1709.2
15.04.390	Amendment to Section 1908.1.15
15.04.400	Amendment to Section 2306.3.1
15.04.410	Amendment to Section 2306.4.1
15.04.420	Amendment to Section 3109.4.1
15.04.430	Amendments to Section 3109.4.4.2

15.04.010 Adoption of the California Building Code.

The City Council adopts and incorporates by reference, as though set forth in full in this section, the 2007 Edition of the California Building Code, Volumes 1 and 2, including Appendix F, I, Appendix A1 of Part 10, and all national codes and standards referenced therein, based on the 2006 International Building Code, as published by the International Code Council.

The various parts of these Codes and Standards, along with the additions, amendments, and deletions adopted in this section, shall constitute and be known as the Newport Beach Building Code. A copy of the 2007 California Building Code Volumes 1 and 2, printed in code book form, shall be kept on file in the office of the City Clerk.

15.04.020 Amendment to Section 202

Section 202 is amended to read as follows:

SECTION 202 Definitions.

High-rise building [SFM]. As used in this code:

1. *“Existing high-rise structure” means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.*
2. *“High-rise structure” means every building of any type of construction or occupancy having floors used for human occupancy located more than 40 feet (12,192 mm) above the*

lowest floor level having building access (see Section 403.1.2), except buildings used as hospitals as defined in Health and Safety Code Section 1250 and Group R3 occupancies.

3. *“New high-rise structure” means a high-rise structure, the construction of which is commenced on or after July 1, 1974.*

15.04.030 Amendment to Section 403.1

Section 403.1 is amended to read as follows:

SECTION 403.1 Applicability. The provisions of this section shall apply *to new high-rise buildings.*

Exception: The provisions of this section shall not apply to the following buildings and structures:

1. Airport traffic control towers in accordance with Section 412.
2. Open parking garages in accordance with Section 406.3.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1.
4. Low-hazard special industrial occupancies in accordance with Section 503.1.1.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415.
6. *Hospitals as defined in Section 1250 of the Health and Safety Code.*
7. *Buildings such as power plants, lookout towers, steeples, grain houses and similar structures with noncontinuous human occupancy, when so determined by the enforcing agency.*
8. *Buildings used exclusively for jails and prisons.*
9. Buildings having floors used for human occupancy located equal to or less than 55 ft (16,764 mm) above the lowest floor level having building access, shall only comply with the fire sprinkler and fire alarm provisions of this section.

For existing high-rise buildings, see Section 3412 for R occupancies and see Section 3411.13.

[SFM] For the purpose of this section, in determining the level from which the highest occupied floor is to be measured, the enforcing agency should exercise reasonable judgment, including consideration of overall accessibility to the building by fire department personnel and vehicular equipment. When a building is located on sloping terrain and there is building access on more than one level, the enforcing agency may select the level that provides the most logical and adequate fire department access.

15.04.040 Amendment to Section 701A.1

Section 701A.1 is amended to read as follows:

SECTION 701A.1 Scope. This section shall apply to all new construction, reconstruction and additions to structures located in or adjacent to a special fire protection area (as defined in Section 702A) or directly abutting a wildland space or a designated fuel modification zone on one or more sides.

Exceptions:

1. Additions with a building area less than 50% of the existing building area are not required to comply with the requirements for automatic sprinkler system found in Section 903.2, unless required by other sections of this code, or the existing building is already equipped with an automatic sprinkler system.

2. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses may be exempt from the requirements of this section provided all the following are met: (a) the accessory structure's building area does not exceed 120 square feet, (b) the accessory structure is located more than 5 feet from all property lines and more than 10 feet from other structures, and (c) the backyard complies with and is maintained in accordance with Zone A requirements for fuel modification zones.

15.04.050 Deletion of Section 701A.2

Section 701A.2 is deleted.

15.04.060 Amendment to Section 701A.3.1

Section 701A.3.1 is amended to read as follows:

701A.3.1 Alternates for materials, design, tests, and methods of construction. *The enforcing agency is permitted to modify the provisions of this chapter for site-specific conditions in accordance with Appendix Chapter 1, Section 104.10. When required by the enforcing agency for the purposes of granting modifications, a fire protection plan shall be submitted in accordance with the California Fire Code, Chapter 47.*

701A.3.2 New buildings located in any fire hazard severity zone. *New buildings located in any Fire Hazard Severity Zone, or any Wildland-Urban Interface Fire Area designated by the enforcing agency for which an application for a building permit is submitted on or after January 1, 2008, shall comply with all sections of this chapter.*

701A.3.2.1 Inspection and certification. *Building permit applications and final completion approvals for buildings within the scope and application of this chapter shall comply with the following:*

701A.3.2.2 *The local building official shall, prior to construction, provide the owner or applicant a certification that the building as proposed to be built complies with all applicable state and local building standards, including those for materials and construction methods for wildfire exposure as described in this chapter.*

701A.3.2.3 *The local building official shall, upon completion of construction, provide the owner or applicant with a copy of the final inspection report that demonstrates the building was constructed in compliance with all applicable state and local building standards, including those for materials and construction methods for wildlife exposure as described in this chapter.*

701A.3.2.4 *Prior to building permit final approval the property shall be in compliance with the vegetation clearance requirements prescribed in California Public Resources Code 4291 California Government Code Section 51182*

15.04.070 Addition of Section 701A.4

Section 701A.4 is added to read as follows:

SECTION 701A.4 Fuel modification plans.

701A.4.1 General. Fuel modification plans shall be prepared in accordance with this section.

701A.4.2 Fuel modification plan. Preliminary fuel modification plans for all improvements in areas containing combustible vegetation shall be submitted to the Fire Chief concurrent with the submittal for approval of any tentative map. Final fuel modification plans shall be submitted to and approved by the Fire Chief prior to the issuance of a grading permit. The plans shall meet the criteria set forth in the Newport Beach Fire Department Fuel Modification Plan Guidelines for Wildland Fire Hazard Areas.

Exception: The Fire Chief may waive the vicinity plan submittal requirements of this section.

701A.4.3 Issuance of Grading or Building Permits. No grading permit or, if no grading permit is required, no building permit for new and reconstructed structures shall be issued prior to the submittal to and approval by the Fire Department of vicinity and fuel modification plans as required by this section.

15.04.080 Amendment to Section 702A

Section 702A is amended to read as follows:

SECTION 702A Definitions.

ENCLOSED STRUCTURE is a structure with a roof and two or more sides.

EXPOSED SIDE. For the purpose of this section, the exposed side of the structure is defined as the exterior wall or walls which face adjoining wildland space or a designated fuel modification zone.

RECONSTRUCTION. Any building undergoing construction within any 24-month period, in which the building area of reconstruction is 50 percent or more than the building area prior to the submittal of a building permit application, shall comply with the code provisions for new construction.

SPECIAL FIRE PROTECTION AREA. Any geographical area, designated by the Fire Chief, in which structures directly abut wildland space or a fuel modification zone on one or

more sides. Special fire protection areas include, but are not limited to, Very High Fire Hazard Severity Zones.

UNENCLOSED COVERED STRUCTURE. Includes covered structures with a roof and no more than one side enclosed.

15.04.090 Amendment to Section 704A.2.1

Section 704A.2.1 is amended to read as follows:

SECTION 704A.2.1 General. *When required by Chapter 12, roof and attic vents shall resist the intrusion of flame and embers into the attic area of the structure, or shall be protected by corrosion-resistant, noncombustible wire mesh with ¼ inch (6 mm) openings or its equivalent, and shall not exceed 144 square inches (0.93 m²) per opening. Attic ventilation openings are prohibited on the exposed side(s) of the structure.*

15.04.095 Amendment to Section 704A.2.2

Section 704A.2.2 is amended to read as follows:

SECTION 704A.2.2 Eave or cornice vents. *Vents shall not be installed in eaves and cornices, or other overhanging areas on the exposed side of a structure*

15.04.100 Amendment to Section 704A.2.3

Section 704A.2.3 is amended to read as follows:

SECTION 704A.2.3 Eave protection. *Eaves, cornices, soffits and projections on the exposed side of the structure shall meet the requirements of SFM 12-7A-3 or shall be protected by ignition-resistant materials, or noncombustible construction or enclosed in one-hour fire resistive material or heavy timber construction conforming to Section 602.4 of the Building Code. Space between rafters at the roof overhangs shall be protected by non-combustible materials or with double 2 inch (51 mm) nominal solid blocking under the exterior wall covering. No ventilation openings or other openings shall be permitted in eave overhangs, soffits, between rafters at eaves or in other overhanging areas on the exposed side of the structure.*

Exceptions:

1. In lieu of heavy timber construction, exterior balconies, decks and similar architectural appendages shall be constructed with wood columns not less than 6 inches (152 mm) in any dimension, wood beams or joists not less than 6 inches (152 mm) in width and not less than 10 inches (254 mm) in depth, and wood decking not less than 2 inches (51 mm) in thickness.

2. Eave rafter projections shall be no less than 4 inches (102 mm) in width and 6 inches (152 mm) in depth. Exposed rafter projections shall not be pocketed by fascia boards.

15.04.110 Amendment to Section 704A.3.1

Section 704A.3.1 is amended to read as follows:

SECTION 704A.3.1 General. *Exterior walls shall be 1-hr rated construction with approved noncombustible or ignition-resistant material, heavy timber, or log wall construction and shall provide protection from the intrusion of flames and embers in accordance with standard SFM 12-7A-1.*

15.04.120 Amendment to Section 704A.3.2.1

Section 704A.3.2.1 is amended to read as follows:

SECTION 704A.3.2.1 Exterior wall vents. Wall ventilations openings are prohibited on the exposed side of exterior walls.

15.04.130 Addition of Section 704A.3.3

Section 704A.3.3 is added to read as follows:

SECTION 704A.3.3. Proximity to property lines. Structures shall be more than five feet (1524 mm) from an adjacent property line and more than ten feet (3,048 mm) from adjacent structures.

Exceptions: Exterior walls with no openings facing adjoining property are exempt from the requirements of this section provided the exterior side of the wall is constructed of ignition resistant material, one-hour fire-resistant, or heavy timber construction.

15.04.140 Amendment of Section 704A.4.1.1

Section 704A.4.1.1 is amended to read as follows:

SECTION 704A.4.1.1 Decking surfaces. *Decking, surfaces, stair treads, risers, and landings of decks, porches, and balconies where any portion of such surface is within 10 feet (3,048 mm) of the primary structure shall comply with one of the following methods:*

- 1. Shall be constructed of ignition-resistant materials and pass the performance requirements of SFM 12-7A-4, Parts A and B or one-hour rated construction.*
- 2. Shall be constructed with heavy timber, exterior fire-retardant-treated wood or approved noncombustible materials.*
- 3. Shall pass the performance requirements of SFM 12-7A-4, Part A, 12-7A-4.7.5.1 only with a net peak heat release rate of 25kW/sq.-ft. for a 40-minute observation period and:*
 - a. Decking surface material shall pass the accelerated weathering test and be identified as exterior type, in accordance with ASTM E84 and;*
 - b. The exterior wall covering to which the deck is attached and within 10 (3,048 mm) feet of the deck shall be constructed of approved noncombustible or ignition-resistant material.*

Exception: *Walls are not required to comply with this subsection if the decking surface material conforms to ASTM E-84 Class B flame spread.*

The use of paints, coatings, stains, or other surface treatments are not an approved method of protection as required in this chapter.

15.04.145 Amendment to Section 704A.4.2.2

Section 704A.4.2.2 is amended to read as follows:

SECTION 704A.4.2.2 Unenclosed underfloor protection. *Buildings shall have all underfloor areas enclosed to the grade with exterior walls in accordance with Section 704A.3*

Exception: *The complete enclosure of under floor areas may be omitted where the underside of all exposed floors, exposed structural columns, beams and supporting walls are protected as required with exterior ignition-resistant material construction or be heavy timber or one-hour rated construction.*

15.04.150 Amendment to Section 704A.5.1

Section 704A.5.1 is amended to read as follows:

SECTION 704A.5.1 Ancillary buildings and structures. Unenclosed attached or detached ancillary buildings and structures located on the exposed side shall be constructed of ignition-resistant materials or of one-hour fire-resistive, non-combustible or heavy timber construction. Roof construction shall be in accordance with Section 1505.1.1.

15.04.160 Addition of Section 704A.5.2

Section 704A.5.2 is added to read as follows:

SECTION 704A.5.2 Open trellis, open patio covers, open shade structures and similar structures without roofs. In lieu of heavy timber construction, trellis, patio covers, shade covers and similar structures may be constructed with wood columns not less than 4 inches (102 mm) in any dimension, wood beams and/or joists not less than 4 inches (54 mm) in width and 6 inches (152 mm) in depth spaced no closer than 24 inches (610 mm) clear; and wood roofing no less than 2 inches (51 mm) in thickness placed on end spaced no closer than six inches (152 mm) clear.

15.04.170 Addition of Section 704A.6

Section 704A.6 is added to read as follows:

SECTION 704A.6 Automatic fire extinguishing systems. All new and reconstructed structures located adjacent to special fire protection areas shall be equipped with an approved automatic fire sprinkler system.

Exception: 1. Private garages or carports 500 square feet (46.45 m²) or less used exclusively for parking where the existing structure on the same property is not provided with an automatic fire extinguishing system.

2. Trellis, open patio covers, open shade structures and similar structures without roofs. Decks and balconies.

15.04.180 Addition of Section 704A.7

Section 704A.7 is added to read as follows:

SECTION 704A.7 Skylights. Skylights shall have a noncombustible frame glazed with dual glazing of heat strengthened or fully tempered glass or shall be three-fourths-hour fire-resistive assembly.

15.04.190 Amendment to Section 903.2

Section 903.2 is amended to read as follows:

SECTION [F] 903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided in the locations described in this section. Notwithstanding any applicable provisions of this code, an automatic fire-extinguishing system shall be installed in all occupancies when the total building area as defined in Section 502.1 of the code exceeds 5,000 square feet (465 m²), regardless of fire areas or allowable area.

Exception: For Group R-3 occupancies the building area is the area included within the surrounding exterior walls of a building, exclusive of vent shafts and courts.

15.04.200 Deletion and Replacement of Section 903.2.1

Section 903.2.1 is deleted in its entirety and replaced to read as follows:

SECTION 903.2.1 Existing Structures.

903.2.1 Existing Structures. All existing structures not equipped with an automatic fire extinguishing system shall comply with the provisions of this section, not withstanding more restrictive provisions of the code.

903.2.1.1 Additions to existing structures where the existing building area is less than 5,000 square feet (465 m²), and the addition will cause the building area to exceed 5,000 square feet (465 m²) shall provide an automatic fire sprinkler system as follows:

1. Additions of 25% or less of the existing building area, the existing structure and the addition need not be equipped with an automatic sprinkler system.
2. Additions of more than 25% but less than 50% of the existing building area, the addition shall be equipped with an automatic sprinkler system.
3. Additions of 50% or more of the existing building area, the entire structure shall be equipped with an automatic sprinkler system.

903.2.1.2 Additions to existing structures where the existing building area equals or exceeds 5,000 square feet (465 m²) shall provide an automatic sprinkler system as follows:

1. Additions of 1,250 square feet (116 m²) or less, the existing structure and the addition need not be equipped with an automatic sprinkler system.
2. Additions of more than 1,250 square feet (116 m²), but less than 2,500 square feet (232 m²), the addition shall be equipped with an automatic sprinkler system.
3. Additions of 2,500 square feet (232 m²) or more, the entire structure shall be equipped with an automatic sprinkler system.

15.04.210 Deletion and Replacement of Section 903.2.2

Section 903.2.2 is deleted in its entirety and replaced to read as follows:

SECTION 903.2.2 Partially sprinklered buildings. In partially sprinklered buildings sprinklered areas shall be separated from non-sprinklered areas. Such separation shall not be less than that required for a one-hour fire barrier.

Exception: Group R-3 and Group M occupancies,

15.04.220 Amendment to Section 903.2.3

Section 903.2.3 is amended to read as follows:

SECTION [F] 903.2.3 Group F-1.

[F] 903.2.3.1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet (232m²) in area which generate finely divided combustible waste or use finely divided combustible materials.

15.04.230 Amendment to Section 903.2.6

Section 903.2.6 is amended to read as follows:

SECTION [F] 903.2.6 Group M.

[F] 903.2.6.1 High-piled storage. An automatic sprinkler system shall be provided in accordance with the *California Fire Code* in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

15.04.240 Amendment to Section 903.2.7

Section 903.2.7 is amended to read as follows:

SECTION [F] 903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R occupancy.

Exceptions:

1. *Detached one- and two-family dwellings not more than three stories above grade plane in height with a separate means of egress, and building area less than 5,000 square feet (465 m²), unless specifically required by other sections of this code, or classified as Group R-4.*
2. *Group U private garages accessory to a Group R-3 occupancy, when the total building area is less than 5,000 square feet (465 m²).*
3. *Group R-3.1 occupancies not housing bedridden clients, not housing non-ambulatory clients above the first floor, not housing clients above the second floor, and building area less than 5,000 square feet (465 m²).*
4. *Pursuant to Health and Safety Code Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors and building area less than 5,000 square feet (465 m²).*
5. *Pursuant to Health and Safety Code Section 13143.6, occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over) and a building area less than 5,000 square feet (465 m²).*

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-4.

15.04.250 Deletion of Section 903.2.8

Section 903.2.8 is deleted in its entirety.

15.04.260 Amendment to Section 903.2.9

Section 903.2.9 is amended to read as follows:

SECTION [F] 903.2.9 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 or where located beneath other groups.

Exception: Enclosed parking garages located beneath Group R-3 occupancies.

15.04.270 Amendment to Section 903.2.10.3

Section 903.2.10.3 is amended to read as follows:

SECTION [F] 903.2.10.3 Buildings 55 feet or more in height. See Section 403.2.

15.04.280 Amendment to Section 905.1.

Section 905.1 is amended to read as follows:

SECTION [F] 905.1 General. Standpipe systems shall be provided in new buildings and structures in accordance with this section. Fire hose threads used in connection with standpipe systems shall be approved and shall be compatible with fire department hose threads. Access doors and hose outlets shall be provided and located so that all portions of the building can be reached with 150 feet (45,720 mm) of hose from an access door and hose outlet. Required access doors shall be located on the exterior of the building and shall be accessible without the use of a ladder. The door dimensions shall be not less than three feet (914 mm) in width and six feet eight inches (2,032 mm) in height. Hose outlets shall be 2 ½ inches (63 mm) in size with an approved valve. Hose outlets shall be provided on all levels of the building. In buildings used for high-piled combustible storage, fire protection shall be in accordance with the *California Fire Code*.

Exception: R-3 and U occupancies shall not be subject to the provisions of this section.

15.04.290 Amendment to Table 1505.1 Minimum Roof Classification for Types of Construction.

Table 1505.1 Minimum Roof Classification for Types of Construction is amended as follows:

TABLE 1505.1^{a,b,c,d,e}

**MINIMUM ROOF COVERING CLASSIFICATION
FOR TYPES OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A	A	A	A	A	A	A	A	A

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929m².

^a Unless otherwise required in accordance with *Chapter 7A*.

^b Wood roof covering is not allowed regardless of classification except as noted in footnote ^d.

^c Fire sprinklers shall not be substituted for the fire retardant roof requirements of this table.

^d An existing building in the City's Historical Register may be re-roofed with a Class B minimum wood roof.

^e Tile roofs shall be fire-stopped at eave ends. (Applies to new roofs and re-roofs.)

15.04.300 Amendment to Section 1505.1.1

Section 1505.1.1 is amended to read as follows:

SECTION 1505.1.1 Roof coverings within very high fire hazard severity zones. *The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A. Repair or replacement of less than 10 percent of the existing roof covering shall be of a roof covering Class equal or greater than the existing roof covering and not less than Class C. New and reconstructed structures as defined in Section 702A shall be provided with a Class A roof assembly. New structures shall be provided with a Class A roof assembly.*

Exception: *The requirements shall not apply in any jurisdiction that adopts the model ordinance approved by the State Fire Marshal pursuant to Section 51189 of the Government Code or an ordinance that substantially conforms to the model ordinances and transmits a copy to the State Fire Marshal.*

15.04.310 Amendment to Section 1505.1.3

Section 1505.1.3 is amended to read as follows:

SECTION 1505.1.3 Roof coverings within all other areas. *The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, and any roof covering applied in the alteration, repair or replacement of ten percent or more of the roof of every existing structure, shall be a fire-retardant roof covering that is equal to or greater than the existing roof covering class, and not less than Class B. Repair or replacement of less than 10 percent of the existing roof covering shall be of a roof covering class equal to or greater than the existing roof covering and not less than Class C. New structures shall be provided with a Class A roof assembly.*

15.04.320 Amendment to Section 1613.6.1(4)

Section 1613.6.1(4) is amended to read as follows:

SECTION 1613.6.1(4) Assumption of flexible diaphragm, Exception (4)

4. For buildings up to two stories in height, cantilevered diaphragms supporting lateral-force-resisting elements from above are permitted provided the cantilevered span does not exceed 15 percent of the distance between lines of lateral-force-resisting elements from which the diaphragm cantilevers, nor one-fourth the diaphragm width perpendicular to the overhang.

15.04.330 Addition of Section 1613.7

Section 1613.7 is added to read as follows:

SECTION 1613.7 Suspended Ceilings. Minimum design and installation standards for suspended ceilings shall be determined in accordance with the requirements of Chapter 25 of this Code and this section.

1613.7.1 Scope. This section contains special requirements for suspended ceilings and lighting systems. Provisions of Section 13.5.6 of ASCE 7 shall apply except as modified herein.

1613.7.2 General. The suspended ceilings and lighting systems shall be limited to 6 feet below the structural deck unless the lateral bracing is designed by a licensed engineer or architect.

1613.7.3 Design and Installation Requirements.

1613.7.3.1 Sprinkler Heads. All sprinkler head drops, except where penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies, shall be designed to allow for free movement of the sprinkler pipes with oversize rings, sleeves or adaptors through the ceiling tile, in accordance with Section 13.5.6.2.2.(e.) of ASCE 7.

Sprinkler heads penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies shall comply with Section 712 of this code.

1613.7.3.2 Lateral Force Bracing. Where substantiating design calculations are not provided, horizontal restraints shall be effected by four No. 12 gage wires secured to the main runner within 2 inches of the cross runner intersection and splayed 90 degrees from each other at an angle not exceeding 45 degrees from the plane of the ceiling. A strut fastened to the main runner shall be extended to and fastened to the structural members supporting the roof or floor above. The strut shall be adequate to resist the vertical component induced by the bracing wires. These horizontal restraint points shall be placed not more than 12 feet on center in both directions with the first point within 6 feet from each wall. Attachment of the restraint wires to the structure above shall be adequate for the load imposed.

1613.7.3.3 Lighting Fixtures. All lighting fixtures shall be positively attached to the suspended ceiling system. The attachment device shall have a capacity of 100 percent of the lighting fixture weight acting in any direction.

Lighting fixtures weighing less than 56 pounds shall have two No. 12 gage hangers connected from the fixture housing to the structure above. These wires may be slack.

Lighting fixtures weighing 56 pounds or more shall be supported directly from the structure above by approved hangers.

1613.7.4 Special Requirements for Means of Egress. Suspended ceiling assemblies located along a means of egress serving occupant loads of 30 or more, and at lobbies accessory to Group A Occupancies, shall comply with the following provisions.

1613.7.4.1 General. Ceiling suspension systems shall be connected and braced with vertical hangers attached directly to the structural deck. Spacing of vertical hangers shall not exceed 2 feet on center.

1613.7.4.2 Assembly Device. All lay-in panels shall be secured to the suspended ceiling assembly with two hold-down clips minimum, for each tile, within a 4-foot radius of the exit lights and exit signs.

1613.7.4.3 Emergency Systems. Independent lateral bracing shall be provided for light fixtures required for exit illumination.

1613.7.4.4 Supports for Appendage. Separate support from the structural deck shall be provided for all appendages such as air diffusers, exit signs and similar elements.

15.04.340 Addition of Section 1614

Section 1614 is added to read as follows:

SECTION 1614 Modification to ASCE 7

1614.1.1 ASCE 7, Section 12.2.3.1, Exception 3

Exceptions: 3. Detached one- and two-family dwellings up to two stories in height of light-frame construction.

1614.1.3 ASCE 7, Section 12.12.3

12.12.3 Building Separation. All structures shall be separated from adjoining structures. Separations shall allow for the maximum inelastic response displacement (Δ_m). Δ_m shall be determined at critical locations with consideration for both translational and torsional displacements of the structure as follows:

$$\Delta_M = C_d \delta_{\max} \quad (\text{Equation 16-45})$$

where δ_{\max} is the calculated maximum displacement at level x as defined in ASCE 7 Section 12.8.4.3.

Adjacent buildings on the same property shall be separated by at least a distance Δ_{MT} , where
$$\Delta_{MT} = [(\Delta_{M1})^2 + (\Delta_{M2})^2]^{1/2} \quad (\text{Equation 16-46})$$

and Δ_{M1} and Δ_{M2} are the maximum inelastic response displacements of the adjacent buildings.

Where a structure adjoins a property line not common to a public way, the structure shall also be set back from the property line by at least the displacement, Δ_M , of that structure.

Exception: Smaller separations or property line setbacks shall be permitted when justified by rational analysis.

15.04.350 Deletion of Section 1704.1 Exception 3

Section 1704.1 Exception 3 is deleted.

15.04.360 Amendment to Section 1704.4 Exception 1

Section 1704.4 Exception 1 is amended to read as follows:

SECTION 1704.4 Concrete Construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1704.4.

Exceptions: Special inspection shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less in height that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi).

15.04.370 Amendment to Section 1709.1

Section 1709.1 is amended to read as follows:

SECTION 1709.1 General. Where required by the provisions of Section 1709.2 or 1709.3, the owner shall employ the registered design professional in responsible charge for the structural design, or another registered design professional designated by the registered design professional in responsible charge for the structural design, to perform structural observations as defined in Section 1702.

At the conclusion of each significant construction stage, the structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.

15.04.380 Amendment to Section 1709.2

Section 1709.2 is amended to read as follows:

SECTION 1709.2 Structural observations for seismic resistance. Structural observations shall be provided for those structures included in Seismic Design Category D, E or F, as determined in Section 1613, where one or more of the following conditions exist:

1. The structure is classified as occupancy category III or IV in accordance with Section 1604.5.
2. The height of the structure is greater than 75 feet (22,860 mm) above the base.
3. The structure is classified as occupancy category I or II in accordance with Section 1604.5, is greater than two stories in height, and a lateral design is required for the structure or portion thereof.
4. When so designated by the registered design professional in responsible charge of the design.
5. When such observation is specifically required by the building official.

15.04.390 Amendment to Section 1908.1.15

Section 1908.1.15 is amended to read as follows:

SECTION 1908.1.15 ACI 318, Section 22.10. Deleted ACI 318, Section 22.10, and replaced with the following:

22.10 – Plain concrete in structures assigned to seismic design category C, D, E or F.

22.10.1 – Structures assigned to seismic design category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(b) *Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.*

(c) *Plain concrete footings supporting walls are permitted provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. For footings that exceed 8 inches (203 mm) in thickness, a minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.*

Exceptions:

1. *In detached one- and two- family dwellings three stories or less in height and constructed with stud-bearing walls, plain concrete footings constructed in accordance with Table 1805.4.2 without longitudinal reinforcement supporting walls are permitted.*

2. *For foundation systems consisting of a plain concrete footing and a plain concrete stem wall, a minimum of one bar shall be provided at the top of the stem wall and at the bottom of the footing.*

3. *Where a slab on ground is cast monolithically with the footing, one No. 5 bar is permitted to be located at either the top of the slab or bottom of the footing.*

15.04.400 Amendment to Section 2306.3.1.

Section 2306.3.1 is amended to read as follows:

SECTION 2306.3.1 Wood structural panel diaphragms. Wood structural panel diaphragms are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.3.1 or 2306.3.2. The allowable shear capacities are permitted to be calculated by the principles of mechanics without limitations by using values for fastener strength in the AF&PA NDS, structural design properties for wood structural panels based on DOC PS-1 and DOC PS-2 or wood structural panel design properties given in the *APA Panel Design Specification (PDS)*.

Wood structural panel diaphragms using staples as fasteners shall not be permitted for structures assigned to Seismic Design Category D, E or F.

15.04.410 Amendment to Section 2306.4.1

Section 2306.4.1 is amended to read as follows:

2306.4.1 Wood structural panel shear walls. The allowable shear capacities for wood structural panel shear walls shall be in accordance with Table 2306.4.1. These capacities are permitted to be increased 40 percent for wind design. Shear walls are permitted to be calculated by the principles of mechanics without limitations by using values for nail strength given in the AF&PA NDS and wood structural panel design properties given in the *APA Panel Design Specification*.

Wood structural panel shear walls using staples as fasteners shall not be permitted for structures assigned to Seismic Design Category D, E or F.

15.04.420 Amendment to Section 3109.4.1

Section 3109.4.1 is amended to read as follows:

SECTION 3109.4.1 Barrier height and clearances. The top of the barrier shall be at least 60 inches (1524 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

15.04.430 Amendments to Section 3109.4.4.2

Section 3109.4.4.2 is amended to read as follows:

SECTION 3109.4.4.2 Construction permits; safety features required. *Commencing January 1, 1998, except as provided in Section 3109.4.4.5 for protection of the public, residents and their guests, whenever a construction permit is issued for construction of a new swimming*

pool at a private, single-family home, it shall be equipped with a barrier complying with Section 3109.4 and at least one of the following safety features:

1. The pool shall be isolated from access to a home by an enclosure that meets the requirements of Section 3109.4.4.3.

2. The pool shall be equipped with an approved safety pool cover.

3. The residence shall be equipped with exit alarms on those doors providing direct access to the pool.

4. All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches (1372 mm) above the floor.

5. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth in items 1-4, inclusive, as determined by the building official of the jurisdiction issuing the applicable building permit. Any ordinance governing child access to pools adopted by a political subdivision on or before January 1, 1997, is presumed to afford protection that is equal to or greater than that afforded by any of the devices set forth in items 1-4, inclusive.

Authority: Health and Safety Code Section 18942(b); Reference: Health and Safety Code Section 115922; Ab 3305, Statutes 1996, C.925.

SECTION 4. Chapter 15.05 of the Newport Beach Municipal Code is amended to read:

Chapter 15.05

MECHANICAL CODE

Sections:

15.05.010 Adoption of California Mechanical Code

15.05.010 Adoption of California Mechanical Code.

The City Council adopts and incorporates by reference, as though set forth in full in this section, the 2007 edition of the California Mechanical Code, based on the 2006 Uniform Mechanical Code, including Appendix A as published by the International Association of Plumbing and Mechanical Officials.

The various parts of this code, shall constitute and be known as the Newport Beach Mechanical Code. A copy of the 2007 California Mechanical Code printed in code book form shall be kept on file in the office of the City Clerk. All administrative provisions including enforcement, permit process, fees, and inspections for these chapters are contained in the Administrative Code under Chapter 15.02.

SECTION 5. Chapter 15.06 of the Newport Beach Municipal Code is amended to read:

Chapter 15.06
ELECTRICAL CODE

Sections:

15.06.010 Adoption of The California Electrical Code

15.06.010 Adoption of the California Electrical Code

The City Council adopts and incorporates by reference, as though set forth in full in this section, the 2007 edition of the California Electrical Code based on the 2005 National Electrical Code, including Annex A, B and C as published by the National Fire Protection Association.

The various parts of this code shall constitute and be known as the Newport Beach Electrical Code. A copy of the 2007 California Electrical Code, printed in code book form shall be kept on file in the office of the City Clerk. All administrative provisions including enforcement, permit process, fees, and inspections for these chapters are contained in the Administrative Code under Chapter 15.02.

SECTION 6. Chapter 15.07 of the Newport Beach Municipal Code is hereby deleted in its entirety and replaced by California Building Code Part 10, Appendix Chapter A1 (Seismic Strengthening Provisions for Unenforced Masonry Bearing Wall Buildings), adopted in Newport Beach Municipal Code Chapter 15.04.

Chapter 15.07 is deleted in its entirety.

SECTION 7. Chapter 15.08 of the Newport Beach Municipal Code is amended to read:

Chapter 15.08

PLUMBING CODE

Sections:

15.08.010	Adoption of California Plumbing Code
15.08.020	Amendment to Table 6-4
15.08.030	Amendment to Section 1209.5.1.1

15.08.010 Adoption of California Plumbing Code

The City Council adopts and incorporates by reference, as though set forth in full in this section, the 2007 edition of the California Plumbing Code, including Appendix Chapters A, B, D, E, F and G, based on the 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials.

The various parts of these Codes and Standards, along with the additions, amendments, and deletions adopted in this section, shall constitute and be known as the Newport Beach Plumbing Code. A copy of the 2007 California Plumbing Code, printed in code book form, shall be kept on file in the office of the City Clerk. All administrative provisions including enforcement, permit process, fees, and inspections for these chapters are contained in the Administrative Code under Chapter 15.02.

15.08.020 Amendment to Table 6-4

Table 6-4 of the Plumbing Code is amended as follows:

TABLE 6-4¹

MATERIALS FOR BUILDING WATER DISTRIBUTION PIPING AND BUILDING SUPPLY PIPING					
All potable water systems intended to supply drinking water shall meet the requirements of NSF 61					
Materials Piping, Tubing and Fittings	Hot and Cold Water Distribution Pipe and Fittings			Building Supply Pipe and Fittings	
	Inside of Building	Outside of Building		Outside of Building	
		Above- ground	Under- ground	Above- ground	Under- ground
Asbestos – Cement	-	-	-	-	X
Brass	X	X	X ₃	X	X ₃
Copper	X	X	X ₃	X	X ₃
Cast Iron	X	X	X ₃	X	X ₃
CPVC	X ₄	X _{2,4}	X ₄	X _{2,4}	X ₄
Galvanized Malleable Iron	X	X	X ₃	X	X ₃
Galvanized Wrought Iron	X	X	X ₃	X	X ₃
Galvanized Steel	X	X	X ₃	X	X ₃
PE	-	-	-	X ₂	X
PE-AL-PE	1	1	1	1	1
PEX	1	1	1	1	1
PEX-AL-PEX	1	1	1	1	1
PVC	-	X ₂	X	X ₂	X

1. (BSC, DSA/SS & HCD) has not adopted the use of PEX and PEX-AL-PEX for potable water supply. This piping may only be used with an approved request for alternate materials by City of Newport Beach, Building Department.
2. Vertical piping only, maximum 24" above grade, protected from physical damage, protected from UV sunlight and installed per manufacturer's installation instructions and listing
3. When approved by the City of Newport Beach Building Department, a sleeved corrosion-resistant barrier along its entire length and installed per manufacturers installation instructions and listings may be used.
4. (HCDI & HCD2) CPVC piping to be installed under specified conditions per 2007 C.P.C. Section 6.1.1.

15.08.030 Amendment to Section 1209.5.1.1

Section 1209.5.1.1 is amended to read as follows:

SECTION 1209.5.1.1 Materials. Materials used for piping systems shall comply with the requirements of this chapter or shall be acceptable to the Authority Having Jurisdiction.
(NFPA 54:5.6.1.1) Only polyethylene (PE) pipe shall be used in below ground condition.

SECTION 8. Chapter 15.10 of the Newport Beach Municipal Code is amended to read:

Chapter 15.10

EXCAVATION AND GRADING CODE

Sections:

15.10.110 Setbacks. **Amended**
15.10.120 Drainage and Terracing. **Amended**

15.10.110 Section Amended.

Section 15.05.110 is amended to read as follows:

SECTION 15.10.110 Slope Setbacks.

A. General. The setbacks and other restrictions specified by this section are minimum and may be increased by the building official based on the recommendation of a civil engineer, soils engineer, geotechnical engineer, or engineering geologist, if necessary for safety and stability or to prevent damage of adjacent properties from deposition, erosion, or to provide access for slope maintenance and drainage. Retaining walls may be used to reduce the required setbacks when approved by the building official. Where natural slopes are involved, setbacks shall be interpreted to include a two to one setback plane unless specifically contradicted in the approved reports.

B. Setbacks from Property Lines. Cut and fill slopes shall be set back from the property lines in accordance with this section. Setback dimensions shall be measured perpendicular to the property line and shall be as shown in Figure 1, unless substantiating data is submitted justifying reduced setbacks and approved by the building official.

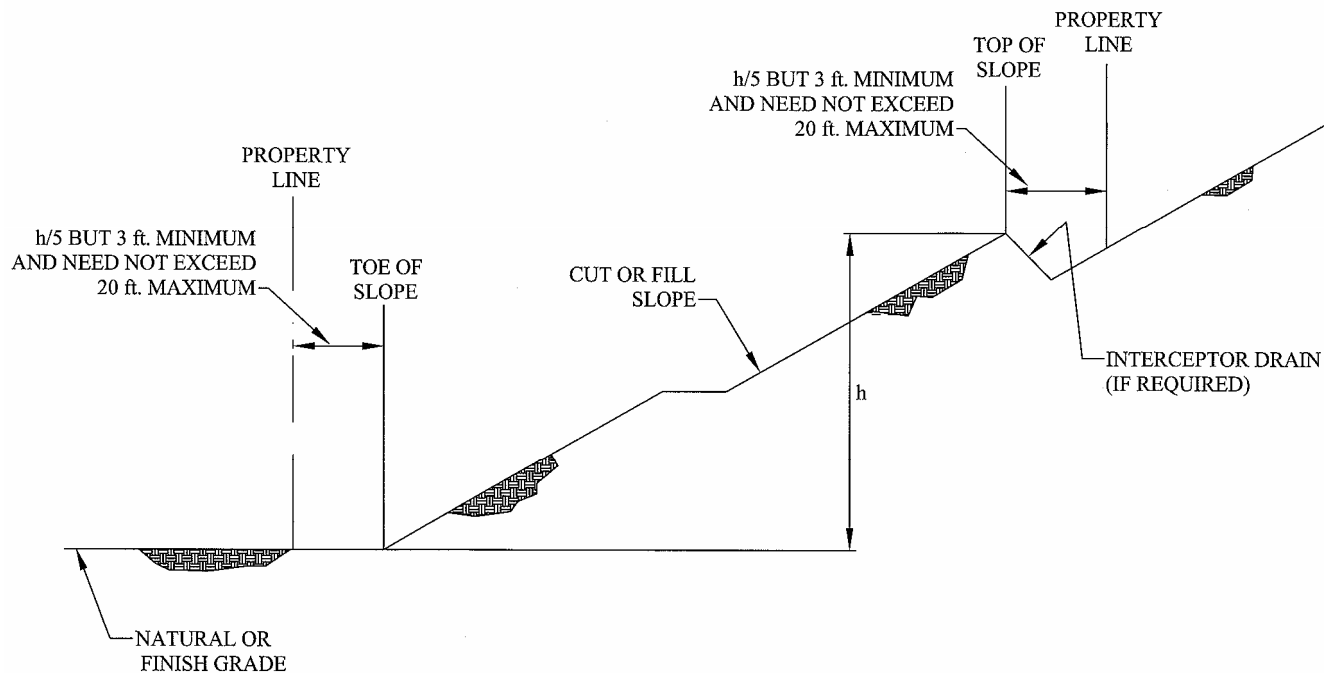


FIGURE 1

15.10.120 Section Amended.

Section 15.05.120 is amended to read as follows:

SECTION 15.10.120 Drainage and Terracing.

A. General. Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provision of this section:

B. Terrace. Terraces at least six feet in width shall be established at not more than thirty (30) foot vertical intervals to control surface drainage and debris. Suitable access shall be provided to permit proper cleaning and maintenance.

C. Where more than two terraces are required, one terrace, located at approximately mid-height, shall be at least 12 feet (3658 mm) in width.

Swales or ditches on terraces shall have a minimum gradient of six percent and must be paved with reinforced concrete not less than three inches in thickness or an approved equal paving. They shall have a minimum depth at the deepest point of eighteen (18) inches and a minimum paved width of five feet.

A single run of swale or ditch shall not collect runoff from a tributary area exceeding thirteen thousand five hundred (13,500) square feet (projected) without discharging into a down drain;

D. Subsurface Drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability. Unless waived by the building official, all canyons shall be provided with subsurface drainage. Material and methods used in subsurface drainage designs shall be approved by the building official;

E. Disposal. All drainage facilities and grading shall be designed to contain concentrated and surface sheet flow waters from dry-weather run off and minor rain events within the site, unless the building official determines this to be detrimental to structures due to site conditions. Where the building official makes this determination, the building official may require that water is filtered before discharge into the City public drainage system. All buried pipe shall be constructed of ABS, PVC, or PE plastic pipe of SDR 35 or Schedule 40-tested material. All pipe joints shall be glued. Buried pipe shall be sized according to the California Plumbing Code, a minimum of four inches trade size unless approved by the building official. If drainage facilities discharge onto natural ground, riprap or conversion to sheet flow may be required in order to contain as much of that water as possible within the site.

Drainage water from a newly graded or a regraded site shall be directed from a privately owned property directly to the public drainage system. Drainage water from a newly graded or a regraded site shall not drain across a property line onto another property without a recorded drainage easement on the adjacent property.

F. Drainage Standards. Drainage standards shall conform to the following minimum standards.

Minimum Gradient

1. Rough Grade

a. Earth at rough grade stage	2.0%
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2. Finished Grade

a.	Earth	2.0%
b.	Asphalt pavement (sheet flow)	1.0%
c.	Concrete	0.5%
d.	Drain pipe	1.0%
e.	Concrete gutter in asphalt paved area	0.2%

SECTION 9. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 10. This Ordinance shall be published once in the official newspaper of the City and the same shall be effective January 11, 2008.

This Ordinance was introduced at a regular meeting of the City Council of the City of Newport Beach held on the _____ day of _____, 2007, and was adopted on the ____ day of _____, 2007, by the following vote to wit:

AYES, COUNCIL MEMBERS

NOES, COUNCIL MEMBERS

ABSENT COUNCIL MEMBERS

MAYOR

ATTEST:

City Clerk

Codes\ordinance adopted codes 2007-2nd hearing

01/14/08